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Application No. 10/706,432

Art Unit: 2661

DEC 1 4 2004

Docket No. 1999-0080Con

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

John Gregory Klincewicz

Attorney Ref.: 1999-0080Con

Serial No.: 10/706,432

Confirmation No.: 7147

Filed: November 12, 2003

Art Unit: 2661

Examiner: Van Kim T. Nguyen

FOR: APPARATUS AND METHOD FOR **DESIGNING A NETWORK**

TERMINAL DISCLAIMER UNDER 37 C.F.R. §1.321

Mail Stop: Amendment **Commissioner for Patents** P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

The owner, AT&T Corp., of one-hundred percent (100%) interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,697,334. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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1

Application No. 10/706,432

Art Unit: 2661.

Docket No. 1999-0080Con

shortened by any terminal disclaimer, in the event that the prior patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 35 CFR \$1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The undersigned is an attorney of record

Dated: December 14, 2004

Thomas M. Isaacson, Reg. No. 44,166

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To: V. Nguyen Page 15 of 15

Application No. 10/706,432

Art Unit: 2661

Docket No. 1999-0080Con

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